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EXAMINER

PYZOCHA, MICHAEL J

ART UNIT PAPER NUMBER

2137

DATE MAILED: 11/08/2006

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/823,701
Filing Date: March 30, 2001
Appellant(s): AULL, KENNETH W.

MAILED

NOV 08 2006

Technology Center 2100

Christopher P. Harris (Reg #43,660)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 09/27/2006 appealing from the Office action mailed 2/15/06.

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(1) Table of Contents

Appellant's table of contents is reflective of the brief and noted by Examiner.

(2) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(3) Related Appeals and Interferences

Examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(4) Status of Claims

The statement of the status of claims contained in the brief is correct.

(5) Status of Amendments

Appellant's statement of the status of amendments after the final rejection contained in the brief is correct.

(6) Summary of the Claimed Subject Matter

The subject of claimed subject matter contained in the brief is correct.

(7) Grounds of Rejection to be Reviewed on Appeal

Appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows:

Claims 1-2 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi (U.S. Patent No. 5,878,138) in view of Texas DPS ("Frequently Asked Questions").

Claims 5-6 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi (U.S. Patent No. 5,878,138) in view of Vaeth (U.S. Patent No. 6,308,277).

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Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Yacobi and Texas DPS system as applied to claims 1 and 9 and further in view of Zhou ("Directory Integration and the Metadirectory").

Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Yacobi and Vaeth system as applied to claims 5 and 13 and further in view of Zhou ("Directory Integration and the Metadirectory").

Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Yacobi and Texas DPS system as applied to claims 1 and 9 and further in view of Fischer (U.S. Patent No. 5,214,702).

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Yacobi and Vaeth system as applied to claims 5 and 13 and further in view of Fischer (U.S. Patent No. 5,214,702).

(8) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Evidence Relied Upon

US 5,878,138	YACOBI	03-1999
US 6,308,277	VAETH	10-2001
US 5,214,702	FISCHER	05-1993

Texas DPS. "Frequently Asked Questions". October 12, 1999. pages 1-4.

Zhou, Tao. "Directory Integration and the Metadirectory". July 1999. Windows IT Pro.

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

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Claims 1-2 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi, U.S. Patent No. 5,878,138, in view of Texas DPS (Texas Department of Public Safety). Frequently Asked Questions. October 12, 1999. pages 1-4. Retrieved from the Internet at the following URL: http://web.archive.org/web/20000303141313/www.txdps.state.tx.us/administration/driver_licensing_control/faq.htm.

As per claims 1 and 9, the applicant describes a method of preventing ID spoofing of public key infrastructure system in an enterprise comprising the following limitations which are met by Yacobi in view of Texas DPS:

- a) allowing a user to access a registration server (Yacobi: Col 8, line 50 to Col 9, line 23);
- b) upon the registration server receiving identification information from the user and also receiving a request by the user for a new signature certificate, the registration server querying a directory containing reference information of users of the enterprise to obtain information regarding the identified user (Yacobi: Col 8, line 50 to Col 9, line 23);
- c) and upon the registration server receiving information from the directory indicating that the identified user already possesses a signature certificate, the registration server informing the user that a new signature certificate will not be issued until the old signature certificate has been revoked, thereby preventing an unauthorized user from ID spoofing to obtain a valid signature certificate (Yacobi: Col 8, line 50 to Col 9, line 23; Texas DPS: page 1);
- d) and maintaining a one-to-one correspondence between users of the enterprise and signature certificates (Yacobi: Col 13, lines 1-2);

Yacobi discloses all the limitations of the above claim except for the specific limitation of **"informing** a user that a new signature certificate will not be issued until the old signature has been revoked". In Yacobi, upon the registration server receiving information that the user who is applying for a new certificate still has a valid certificate, the registration server simply revokes the old certificate as a new certificate is formed in order to satisfy the system's requirement that each valid user has exactly one certificate at any one time (Col 13, lines 1-2).

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Texas DPS discloses the idea of informing a user of revocation of a form of identification before issuing a new form of identification. More specifically, Texas DPS discloses the well-known idea that when a user applies for a new form of identification, he is notified that the new form will not be issued until the old form is revoked as he is required by an authority to surrender his valid or expired Driver's License before he receives his new form of identification (Texas DPS: page 1, last sentence of fourth Answer). By informing the user of the process, a user is better aware of the process taking place and better aware that he can no longer use his old identification and that he will have a new form of identification. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Texas DPS with those of Yacobi and incorporate the procedural step of "informing" the user of the surrender so the user is better aware of the process taking place and the results of the process.

As per claims 2 and 10, the applicant limits the method of claims 1 and 9, which are met by Yacobi in view of Texas DPS, with the following limitation which is met by Yacobi:

Further comprising providing user identifiers and their corresponding digital signature certificates in said directory (Yacobi: Col 9, lines 10-16).

Claims 5-6 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Vaeth, U.S. Patent No. 6,308,277.

As per claims 5 and 13, the applicant describes a method of preventing ID spoofing of a public key infrastructure in an enterprise comprising the following limitations which are met by Yacobi in view of Vaeth:

- a) allowing a user to access a registration server (Yacobi: Col 8, line 50 to Col 9, line 23);
- b) upon the registration server receiving identification information from the user and also receiving a request by the user for a new signature certificate, the registration server querying a directory containing the reference information of users of the enterprise to obtain information regarding the identified user (Yacobi: Col 8, line 50 to Col 9, line 23);

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c) and upon the registration server receiving information from the directory indicating that the identified user is not in the directory, the registration server informing the user that a signature certificate will not be issued, thereby preventing an unauthorized user from ID spoofing to obtain a valid signature certificate (Vaeth: Col 8, lines 41-54);

d) and maintaining a one-to-one correspondence between users of the enterprise and signature certificates (Yacobi: Col 13, lines 1-2);

Yacobi discloses all the limitations of the above claim, with the exception that Yacobi does not specifically disclose "informing" a user that a certificate will not be issued. The idea of informing a user that a certificate will not be issued is disclosed by Vaeth. Specifically, Vaeth teaches that if a user is disapproved, the disapproval is sent to the requestor (e.g. Vaeth, Col 8, lines 52-54). Further, knowing of an authentication error gives a user the opportunity to take appropriate action. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Vaeth with those of Yacobi because notifying a user that a certificate will not be issued informs the user of an authentication error and gives the user the opportunity to take appropriate action.

As per claims 6 and 14, the applicant limits the method of claims 5 and 13, which are met by Yacobi in view of Vaeth, with the following limitation which is also met by Yacobi:

Further comprising providing user identifiers and their corresponding digital signature certificates in said directory (Yacobi: Col 9, lines 10-16).

Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Texas DPS in further view of Zhou (Zhou, Tao. "Directory Integration and the Metadirectory". July 1999. Windows IT Pro).

As per claims 3 and 11, the applicant limits independent claims 1 and 9, which are met by Yacobi in view of Texas DPS, with the following limitation which is met by Zhou:

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Further comprising providing an authoritative database including user identifiers, wherein the directory is updated from the authoritative database (Zhou: pages 1-2).

However, Yacobi fails to disclose the user of an authoritative database. Zhou discloses the benefit of using directory integration with an authoritative database of user identifiers which he calls a metadirectory. In the second paragraph Zhou writes, "Directory Integration lets network administrators manage directory information from one directory and automate the process of changing information in multiple directories. In the short run, directory integration lowers the cost of directory management because it reduces human involvement in directory management. A comprehensive directory-integration system often requires an enterprise directory to store and unify directory information in a central repository, or metadirectory. In the long run, you can incorporate into a metadirectory new network services—for example, ... public key infrastructure (PKI) to manage digital certificates for e-commerce".

An authoritative database including user identifiers would be an obvious improvement in the system of Yacobi in view of Texas DPS because it would allow one centrally managed database to update various bank sites. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Zhou with the ideas of Yacobi because use of an authoritative database helps to better manage digital certificates as Zhou discloses.

Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Vaeth in further view of Zhou (Zhou, Tao. "Directory Integration and the Metadirectory". July 1999. Windows IT Pro).

As per claims 7 and 15, the claims are rejected for the same reasons as given in the rejection of claims 3 and 11.

Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Texas DPS in further view of Fischer, U.S. Patent No. 5,214,702.

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As per claims 4 and 12, the applicant limits the method of claims 1 and 9, which are met by Yacobi in view of Texas DPS, with the following limitation which is met by Fischer:

Further comprising providing a personal revocation authority to revoke a user's previous signature certificate, the personal revocation authority being chosen so as to personally recognize a user (Col 13, lines 46-47);

Yacobi discloses all the limitations of independent claims 1,5,9, and 13. However, Yacobi fails to disclose a person who is a revocation authority in charge of personally recognizing users.

Fischer discloses the ideas that a "certifier may empower another person to cancel other certificates which the certifier has produced" (Col 13, lines 46-47). Fischer discloses the idea that a person, not a computer, can revoke certificates which is absent from Yacobi. Since a person is the revocation authority, he can personally recognize a user.

It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Fischer with those of Yacobi and incorporate the idea of a personal revocation authority to add another element of security into Yacobi's system through personally being able to identify users to prevent ID spoofing.

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacobi in view of Vaeth in further view of Fischer, U.S. Patent No. 5,214,702.

As per claims 8 and 16, the claims are rejected for the same reasons as given in the rejection of claims 4 and 12.

(11) Response to Argument

Appellant believes the 103(a) rejection of claims 1 and 9 under Yacobi in view of Texas DPS to be improper and presents the following three arguments in support of patentability. Examiner has grouped claim 1 (method) and claim 9 (apparatus) because the reasoning is the same.

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a) No teaching of "informing the user that a new signature certificate will not be issued until the old signature certificate has been revoked"

b) No motivation to combine Texas DPS with Yacobi because doing so would change the principle of operation of Yacobi

c) The references are non-analogous

Examiner respectfully disagrees with the foregoing. Regarding a), Appellant argues that Examiner admits that Yacobi (taken singly) does not teach the limitation cited above. Appellant further argues that Texas DPS (taken singly) also does not teach the limitation because it relates to licenses and not certificates. Appellant elaborates that a license does not contain information (i.e. a public key) that a certificate typically would. From the foregoing, Appellant concludes that neither Yacobi nor Texas DPS taken singly or in combination teach the limitation cited above.

Examiner respectfully submits that Appellant does not appreciate the rejection as applied. While Appellant concludes that the combination does not meet the limitation (Appeal Brief 6/30/06: page 11, lines 10-11), Appellant's arguments attack each reference individually, and do not take into consideration the combination of references as applied. It should be noted that one cannot show nonobviousness by attacking references individually where the rejection is based on a combination of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Yacobi discloses that a new signature certificate will not be issued until the old signature certificate has been revoked. However, Yacobi appears to be silent as to "informing a user" about this procedure. Thus, Yacobi was not relied upon for anticipation under 35 U.S.C. 102. However, the procedural step of "informing a user" about a procedure is not novel, as evidenced at least by Texas DPS. Texas DPS teaches informing a user that a new form of identification (new license) will not be issued until the old form of identification (old license) has been revoked. The combination, as applied, is the Yacobi process (that a new signature certificate will not be issued until the old signature certificate has been revoked) with an additional procedural step of "informing a user" about the process.

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While Examiner is aware that a license and a certificate are different forms of identification, Examiner has incorporated Texas DPS into Yacobi's system **merely for the procedural step of "informing a user"**. Thus, *the combination* of Yacobi in view of Texas DPS allows for "informing a user" of the process of Yacobi.

Regarding b), Appellant argues that there is no motivation to combine Texas DPS with Yacobi because doing so "would change the principle of operation of Yacobi" (Appeal Brief 6/30/06: page 12, lines 8-9). Examiner disagrees with such reasoning.

As described in the MPEP, "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)" (Article VI MPEP 2143.01). The MPEP goes on to state that a situation in which a reference teaches a device requiring rigidity may not be properly combined to meet a claimed invention device which requires resiliency (see Article VI MPEP 2143.01).

Thus, the MPEP illuminates that a reference that is squarely contradictory would not provide *prima facie* motivation of obviousness (compare this with Article II MPEP 2143.01 in which a reference that merely discredits may be acceptable). Referring to Appellant's reasoning for concluding that the Texas DPS changes the principle of operation of the Yacobi reference, Appellant states that the combination "would add unneeded and unwanted complexity to the renewal process disclosed in Yacobi" (Appeal Brief 6/30/06: page 12, lines 20-21) and that "there is nothing to indicate that users...are even aware of the existence of the certificates" (Appeal Brief 6/30/06: page 13, lines 1-2).

Examiner respectfully asserts that Texas DPS does not change any principle of operation of Yacobi: it merely builds upon the Yacobi process by adding an additional procedural step of informing a user about the Yacobi process. Regarding Appellant's first statement, the addition of extra steps (even if they are superfluous) does not mean that a change in principle of operation takes place. Regarding Appellant's second statement, even if a user is unaware of the existence of a certificate, it does not follow that a change in principle of operation takes place. The same operation takes place in Yacobi whether or not a user knows about the existence of a certificate. Furthermore, Examiner

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disagrees that there is nothing to indicate that users are aware of the existence of certificates. For one example, Yacobi teaches that if the public key of the user's certificate is believed to have been exposed, a user may ask for a new public key with the new certificate he receives (Col 15, lines 17-22).

Regarding c), in response to Appellant's arguments that Texas DPS is nonanalogous art, it has been held that a prior art reference must either be 1) in the field of Applicant's endeavor **OR**, if not, then be 2) reasonably pertinent to the particular problem with which the Applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). Examiner submits that Texas DPS meets both 1) and 2).

With regard to 1), Appellant argues that Texas DPS and claim 1 are not in the same field of endeavor because they teach two different forms of identification. Appellant supports this conclusion based on *Wang Lab, Inc. v Toshiba Corp.*, 993 F.2d 858, 863 26 USPQ2d 1767, 1773 (Fed. Cir. 1993) which held that two patents that relate to two different types of memories may be non-analogous. Examiner disagrees for at least two reasons. First, while it may be held that two different forms may be outside the same field of endeavor in a particular case as in *Wang*, such is not always the case. For one example two different forms of brushes (i.e. a hairbrush and a toothbrush) were ruled to be in the same field of endeavor (*In re Bigio*, 381 F.3d 1320, 1325-26, 72 USPQ2d 1209, 1211-12, CFed. Cir 2004). At best *Wang* supports an argument that two different forms may or may not be in the same field of endeavor. *Wang* does not support an argument that two different forms are outside the field of endeavor merely because they are two different forms.

Secondly, even assuming arguendo that a license is not in the same field of endeavor as a certificate, Appellant's argument would still not be persuasive because the pertinent issue hinges on whether the "method of preventing ID spoofing" (claim 1, line 1) is in the same field of endeavor as the method of preventing ID spoofing disclosed by Texas DPS, not the particular end result forms (i.e. license, certificate). **Regarding the pertinent issue, both Texas DPS and Appellant address identification issuance to authorized users and to curtail identification spoofing by requiring surrender of an old form of identification.**

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With regard to 2), Appellant states that *In re Clay* teaches that a reference is reasonably pertinent to the particular problem solved by Appellant if it would have commended itself to the attention in consideration of the problem. Appellant concludes that Texas DPS is not reasonably pertinent to the particular problem solved because one skilled in the art of PKI administration would not look to a driver license procedure because of the vast difference in security levels (i.e. insecure Texas DPS driver license administration, secure PKI administration).

Examiner respectfully disagrees with such reasoning. Appellant's conclusion is based on at least three assumptions: a) the process of Texas DPS is insecure b) PKI administration is secure and c) one of ordinary skill would not look to a method that has a varying security level. All three of these assumptions must be correct in order for Appellant's conclusion to follow. Examiner believes each to be flawed.

Regarding a), that Texas DPS is insecure does not logically follow from Appellant's statements. Appellant's reasoning is based on the fact that in Texas DPS one can get another license if he loses the original. Since this is apparently insecure, the process of Texas DPS is insecure. Examiner disagrees. The mere fact that a person can get another license if he loses the original does not necessitate that the process of Texas DPS is insecure. The reference teaches that if a driver license is lost, a person may go to the Driver License office for assistance on getting a duplicate. Examiner respectfully submits that one of ordinary skill in the art would recognize that a user's identity at a Driver License office would be verified in at least some capacity before a duplicate is presented. One of ordinary skill in the art would understand that a duplicate license is not blindly, and insecurely, given to anyone. Thus, Examiner disagrees that assumption a) has been shown.

Regarding assumption b), Appellant states that PKI is high security, but fails to provide any details to how such is the case. Further, the contemplation of claim 1 is how to make a PKI system, replete with vulnerabilities and hackers, more secure. Thus, Examiner disagrees that PKI is high security and that assumption b) has been shown either. Lastly, regarding c), Appellant has not supported his assumption of why a user would not look to a method which has a varying security level. Even if a process had a varying security level (or a lower security level), Examiner finds no reason why a user

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could not incorporate certain aspects of the process (i.e. security or nonsecurity) if such incorporation would provide a benefit to the system.

Appellant believes the 103(a) rejection of claims 5 and 13 under Yacobi in view of Vaeth to be improper and presents the following three arguments in support of patentability. Examiner has grouped claim 5 (method) and claim 13 (apparatus) because the reasoning is the same.

- a) When Claim 5 is read as a whole, a user does not possess a signature certificate as in Yacobi
- b) Yacobi does not teach part b because a user possesses a certificate in Yacobi
- c) No motivation to combine Vaeth with Yacobi because doing so would create an undesirable trade of convenience for security

Regarding a), Appellant argues that when claim 5 is read as a whole, a user does not possess a signature certificate as in Yacobi (Appeal Brief: 6/30/06, page 26 lines 11-12). Appellant points to no specific claim language which requires such a conclusion.

Examiner respectfully disagrees. Nothing in the claim language requires that a user may not possess a signature certificate. To support his argument, Appellant presents two speculations: 1) that a user would not request a new certificate if he already had one and 2) if the user were to possess a certificate, he would be in the directory (Appeal Brief: 6/30/06, page 26 lines 7-11). Examiner believes both speculations to be outside the scope of patentability, as well as inaccurate. What is material to patentability is what is required by the claims, not what Appellant speculates could happen. Regarding 1) being inaccurate, there are numerous situations in which a user would request a new certificate even if he already had one- his certificate might be about to expire (as in Yacobi), he might want to have more than one certificate, his certificate may be currently unavailable, etc. Regarding 2), a server would not requisitely indicate that the user is not in the directory if the user possessed a certificate- perhaps the server cannot temporarily access directory information, perhaps the directory information has been hacked, lost, or erased, perhaps the user obtained a certificate from another server, etc. Whatever

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consideration is given to 1) and 2), **nothing in the claim language requires that a user does not possess a certificate.** Accordingly, Appellant's argument is not persuasive.

As a side note, the PTO gives a disputed claim its broadest reasonable interpretation. *Hyatt*, 211 F.3d at 1372. The "broadest reasonable interpretation" rule recognizes that "before a patent is granted the claims are readily amended as part of the examination process." *Burlington Indus. V. Quigg*, 822 F.2d 1581, 1583 (Fed. Cir. 1987). Thus, a patent applicant has the opportunity and responsibility to remove any ambiguity in the claims by amending the application. *In re Prater*, 415 F.2d 1393, 1404-05 (CCPA 1969). Additionally, the broadest reasonable interpretation rule "serves the public interest by reducing the possibility that claims, finally allowed, will be given broader scope that is justified." *In re Am. Acad. Of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004) (quoting *In re Yamamoto*, 740 F.2d 1569, 1571-72 (Fed. Cir. 1984)).

Regarding b), Appellant asserts that Yacobi does not teach a registration server receiving information from a user and also receiving a request by the user for a new signature certificate. Appellant apparently basis this conclusion on the fact that Yacobi teaches a user already possessing a certificate. Examiner respectfully submits that the fact that a user may possess a certificate does not preclude the allegedly deficient claim limitation from being met in any form or fashion. With regards to the allegedly deficient claim limitation, Examiner believes Yacobi to clearly teach a bank's computer (registration server) receiving identification information and a request for a new certificate (e.g. Col 8, line 50 to Col 9, line 9), the bank's computer (registration server) querying a database containing reference information of users of the enterprise to obtain information regarding the identified user (e.g. Col 9, lines 10-16), and the bank's computer (registration server) issuing a certificate following successful confirmation (e.g. Col 9, lines 20-23).

Regarding c), Appellant argues that there is no motivation to combine Vaeth with Yacobi because doing so would create an undesirable trade of security for convenience. Examiner disagrees. Nowhere is any trade of security for convenience proposed or suggested by the combination. Yacobi discloses that a registration server authenticates a user. Yacobi further teaches that, if authenticated, the registration server informs a user that a signature certificate will be issued. However, Yacobi is silent as to what

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happens when the user is not authenticated. Vaeth discloses the obvious and well-known idea that a user may be "informed" that he is not authenticated. The combination, as applied, merely incorporates the idea of "informing" a user if he is not authenticated. Thus, no security tradeoff, or any tradeoff in general, takes place.

In his latest arguments (Appeal Brief 09/27/2006), Appellant submits that Vaeth discloses a requestor using an Internet browser to request a certificate using a certificate request web page. Thus, according to Appellant, Vaeth teaches that anyone with an Internet browser can request a certificate, and there is no requirement that a requestor possess any special piece of hardware (Appeal Brief 6/30/06: page 28, line 17 to page 29, line 3). Examiner disagrees. Examiner respectfully submits that Appellant's arguments are immaterial to the rejection as the teaching of Vaeth that was combined was the obvious and well-known idea **to "inform" a user of a process taking place**. Secondly, in addition to being immaterial to the rejection, Appellant's arguments are also believed to be inaccurate. Vaeth does not lack security and not anyone with an Internet browser can request a certificate. As taught by Vaeth access to a certificate request web page is through a secure process which may require a login ID and password as well as special cryptographic elements necessary to facilitate secure communication (Col 7, line 55 to Col 8, line 5).

Appellant argues the rejection of claims 3 and 11 under 35 U.S.C. 103(a) as being unpatentable over the modified Yacobi and Texas DPS system as applied to claims 1 and 9 and further in view of Zhou ("Directory Integration and the Metadirectory") is lacking because Zhou fails to make up for the deficiencies of Yacobi and Texas DPS as applied to claims 1 and 9. However, the response put forth above renders this argument moot.

Appellant argues the rejection of claims 7 and 15 under 35 U.S.C. 103(a) as being unpatentable over the modified Yacobi and Vaeth system as applied to claims 5 and 13 and further in view of Zhou ("Directory Integration and the Metadirectory") is lacking because Zhou fails to make up for the deficiencies of Yacobi and Texas DPS as applied to claims 5 and 13. However, the response put forth above renders this argument moot.

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Appellant argues the rejection of claims 4 and 12 under 35 U.S.C. 103(a) as being unpatentable over the modified Yacobi and Texas DPS system as applied to claims 1 and 9 and further in view of Fischer (U.S. Patent No. 5,214,702) is lacking because Zhou fails to make up for the deficiencies of Yacobi and Texas DPS as applied to claims 1 and 9. However, the response put forth above renders this argument moot.

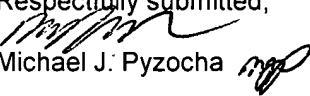
Appellant argues the rejection of claims 8 and 16 under 35 U.S.C. 103(a) as being unpatentable over the modified Yacobi and Vaeth system as applied to claims 5 and 13 and further in view of Fischer (U.S. Patent No. 5,214,702) is lacking because Zhou fails to make up for the deficiencies of Yacobi and Texas DPS as applied to claims 5 and 13. However, the response put forth above renders this argument moot.

(12) Appendices

No decision rendered by a court or the Board is identified by the Examiner in the Related Appeals and Interferences section of this Examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,


Michael J. Pyzocha

November 6, 2006

Conferees:

Kim Vu 

Kambiz Zand 


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